

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)
)
Amendment of Part 97 of the)
Commission's Rules Regarding)
Provisions for an Amateur Station)
Vanity Call Sign *In Memoriam*)

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RM- _____

To: The Commission

PETITION FOR RULE MAKING**Introduction**

The Quarter Century Wireless Association, Inc. ("QCWA"), pursuant to Section 1.401 of the Commission's Rules, 47 CFR §1.401, hereby requests the Federal Communications Commission ("Commission") to initiate rule making action to amend Section 97.19(c)(3) of the Commission's Rules for the Amateur Radio Service, 47 CFR §97.19. This amendment would provide currently licensed amateur operators with the option, under the vanity call sign system¹ ("vanity system") to designate a specific amateur radio club as the entity they desire to acquire eventually their call signs *in memoriam*. The current rule excludes current licensees from speaking for themselves *ante mortem* in this regard. Rather, it requires their relatives to speak for them *post mortem*.

¹Section §97.19 Application for a vanity call sign, 47 C.F.R. §97.19, and

<http://www.fcc.gov/wtv/amateur/vanity.html>.

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Text of the proposed rule

Section 97.19(c)(3) of the Commission's Rules is amended to read as follows:

§97.505 Element credit

(c) ***

(3) Except for an applicant who is the spouse, child, grandchild, stepchild, parent, grandparent, stepparent, brother, sister, stepbrother, stepsister, aunt, uncle, niece, nephew, or in-law, and except for an applicant who is a club station license trustee acting with a statement of consent signed by the person *ante mortem*, the call sign shown on the license of a person now deceased is not available to the vanity call sign system for 2 years following the person's death, or for 2 years following the expiration of the license grant, whichever is sooner. The written consent of at least one relative, as listed above, of the person now deceased is acceptable *post mortem*.

(d) ***

Facts

The vanity system contains a provision for a club station to obtain a deceased member's former amateur station call sign deceased *in memoriam*. The license trustee is permitted to request for the club's station the call sign previously shown on the station license grant of a club member now deceased. The request can be made immediately upon the death of the member, provided there is in the club station records a written statement from a spouse, child, grandchild, stepchild, parent, grandparent, stepparent, brother, sister, stepbrother, stepsister, aunt, uncle, niece, nephew or in-law of the person *post mortem* attesting to the person's association with the

club and showing consent of the relative to the request.² The system omits the single most qualified person to execute such a written statement: the very person who held the call sign that is being requested.

Views, arguments, data

It is the petitioner's view that the *in memoriam* provision in the vanity system is a splendid way for our Chapters to recognize and honor the outstanding services and contributions to radio technology made by a past member. Each time the Chapter's club station performs the identification procedure³ using the call sign long used by an esteemed member now deceased, it speaks out to our Chapter members and others of the rich heritage of amateur radio.

The *in memoriam* provision, however, relies on a written statement from a relative of the deceased member *post mortem*. It is the petitioner's view that the vanity system should rely firstly on a written statement of consent by the member made *ante mortem*. It is awkward at best and painful at worst for the club station license trustee to request such a document from the family of the deceased during the time of bereavement. It should be only when the document has not been provided to the club by the member *ante mortem*, that one provided by a relative of the member *post mortem* be accepted.

Interests of petitioner

The QCWA is committed to promoting interest in the amateur service, the advancement of the electronic art, making use of the reservoir of knowledge and experience among the nearly 10,000 members of the QCWA for the benefit of all amateur operators and the furtherance of the

²§97.19(c), 47 C.F.R. §97.19 makes the call sign available to other eligible stations after two (2) years.

³See §97.119 Station identification, 47 C.F.R. §97.119.

public welfare through amateur service communications. As the organization whose purpose is to promote cooperation and friendship among amateur operators of at least 25 years service, the QCWA membership is comprised of persons who have been amateur operators for many decades.⁴ As such, many of our members are very concerned about the eventual destine of their beloved station call signs. The QCWA desires for it to be possible for each QCWA Chapter to fulfill the express desire of a member by obtaining for its club station the former call sign of the member *in memoriam*.

Summary

The rule amendment requested herein would make a needed improvement in the *in memoriam* provision in the vanity system. It would remove the anomaly whereby reliance is on a document provided by a relative of the deceased person *post mortem*. The amended rule would rely first on a written statement by the person made *ante mortem*. The QCWA, therefore, petitions the Commission to initiate rule making action looking toward to adopting the improvement, in accordance with the foregoing.

Respectfully submitted,

original document signed by

Gary R. Harrison, K0BC

President,

Quarter Century Wireless Association, Inc.

P.O. Box 467
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⁴The QCWA, for example, recently presented Eighty-Year Awards to several members. *See* QCWA JOURNAL - Summer 2001.